

Express Mail Label No.: EL 451 594 595 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
In re application of:
CARL A. WALDSPURGER *et al.*

Serial No.: 09/540,952

Filed: March 31, 2000

For: EFFICIENT, TRANSPARENT AND
FLEXIBLE LATENCY SAMPLING



Examiner: Not yet assigned

Art Unit: 2762

Attorney Docket No.: 9772-291-999

Date: July 12, 2000

Assistant Commissioner for Patents
Washington, DC 20231

STATEMENT REGARDING COMMONLY ASSIGNED APPLICATIONS

Sir:

Applicants respectfully direct the Examiner's attention to the claims of the applications listed below, which are assigned to Digital Equipment Corporation/Compaq Computer Corporation, the assignee of this application. This statement is intended to allow the Examiner to determine the appropriateness of a provisional rejection and is not an admission that a provisional rejection in this application is appropriate in view of the cited commonly assigned applications. Applicants reserve the right to dispute any provisional rejection.

The commonly assigned applications are:

1. S/N: 08/979,033 Filing Date: 11-26-97 Entitled: Apparatus for Sampling Instruction Execution Information in a Processor Pipeline
2. S/N: 08/979,034 Filing Date: 11-26-97 Entitled: Method for Guiding Virtual-to-Physical Mapping Policies in a Computer Operating System
3. S/N: 08/980,170 Filing Date: 11-26-97 Entitled: Apparatus for Sampling Path History in a Processor Pipeline

4. S/N: 08/980,035 Filing Date: 11-26-97 Entitled: Method for Scheduling Instructions Processed by a Computer System
5. S/N: 08/980,160 Filing Date: 11-26-97 Entitled: Apparatus for Sampling Multiple Potentially Concurrent Instructions in a Processor Pipeline
6. S/N: 08/977,438 Filing Date: 11-26-97 Entitled: Apparatus for Determining the Instantaneous Average Number of Instructions Processed
7. S/N: 08/815,982 Filing Date: 3-10-97 Entitled: Processor Performance Counter for Sampling the Execution Frequency of Individual Instructions

Assignee: Digital Equipment Corporation/
Compaq Computer Corporation

Respectfully submitted,

PENNIE & EDMONDS LLP

Date: July 12, 2000

By:



Gary S. Williams
Gary S. Williams
Registration No. 31,066

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Palo Alto, CA 94304
Telephone: (650) 493-4935

FORMALITIES LETTER



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UNITED STATES DEPARTMENT OF COMMERCE

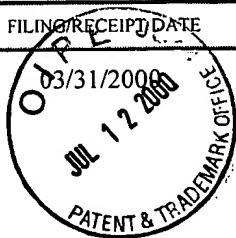
Patent and Trademark Office

Address: COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

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APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/540,952



Carl A. Waldspurger

9772-291-999

Pennie & Edmonds LLP
3300 Hillview Avenue
Palo Alto, CA 94304

Date Mailed: 06/14/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 130.

*A copy of this notice **MUST** be returned with the reply.*

Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

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*Section 7
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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of: Carl A. Waldspurger *et al.*

Application No.: 09/540,952

Group Art Unit: 2762

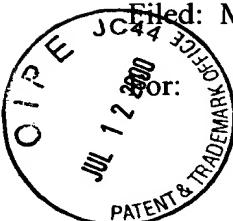
Filed: March 31, 2000

Examiner: Not yet assigned

For: **EFFICIENT, TRANSPARENT AND
FLEXIBLE LATENCY SAMPLING**

Attorney Docket No.:
9772-291-999

July 12, 2000



Attn: BOX MISSING PARTS

Assistant Commissioner for Patents
Washington, D.C. 20231

**RESPONSE TO NOTICE TO FILE MISSING PARTS OF
NONPROVISIONAL APPLICATION - FILING DATE GRANTED**

Sir:

In response to the "Notice to File Missing Parts of NonProvisional Application - Filing Date Granted" mailed by the U.S. Patent and Trademark Office on June 14, 2000, Applicants submit the following documents to complete the filing for the above-identified application:

1. Power of Attorney by Assignee;
2. A signed Declaration, in compliance with 37 CFR 1.63;
3. Return copy of Notice to File Missing Parts of NonProvisional Application - Filing Date Granted.

Applicants also submit herewith the following documents for the above-identified application:

4. A Recordation Cover Sheet and Assignment (Joint);
5. Statement Regarding Commonly Assigned Applications..

The Commissioner is authorized to charge any fees associated with this communication to our deposit account number 16-1150 (Order No. 9772-291-999). A copy of this sheet is enclosed for such purpose.

Respectfully submitted,

PENNIE & EDMONDS LLP

By:


Gary S. Williams
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Telephone: (650) 493-4935